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PLAINTIFFS

LEO HAMIL and Others

DEFENDANTS

EDWIN YOUNGBLOOD, Regional 16
Director, NATIONAL LABOR RELATIONS
BOARD, UNITED STEELWORKERS UNION
of AMERICA and JOHN ZINK COMPANY

CAUSE

28 USC §1337 Civil Action arising under an act regulating commerce.
29 USC §159 (c)(1) Petitioner seeks mandatory injunction to require NLRB
proceed with decertification election of union.

ATTORNEYS

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☐ CHECK
HERE
IF CASE WAS
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DATE	RECEIPT NUMBER	C.D. NUMBER

STATISTICAL CARDS

CARD DATE MAILED
JS-5 11-1-76
JS-6 4-1-77

DATE	NR.	PROCEEDINGS
<u>1976</u>		
10-5	1.	Petition, filed. ph
10-5	2.	Brief in support of restraining order, filed. ph
10-5	MO:	Case set for hearing upon TRO for 10-28-76 at 10:00 a.m. (HDC-J)ph notices served
10-5	--	Summons issued on all of the above pleadings. ph
10-14		Marshal's returns on service of summons & notice, filed. Served United Steelworkers in Tulsa on 10/12/76; served John Zink Co. in Skiatook on 10/13/76; served Edwin Youngblood, Reg. Dir. NLRB in Fort Worth on 10/7/76; served USA by serving U.S. Atty in Tulsa and mailing copies to US Atty in Washington, D. C. on 10/6/76. (USM \$30.32) rm
10-20	3.	Ans. of John Zink Company, filed. ph
10-28	4.	Motion of deft. Youngblood, REg. Dir., NLRB, to dismiss the complaint for injunctive relief in its entirety, filed. hm
10-28	5.	Memorandum in support of mo/dismiss complaint, filed. hm
10-28	6.	Motion to dismiss or, in the alternative, for S/J, filed by United Steelworkers of America. ph
10-28	7.	Brief in support of deft's motion to dismiss or, in the alt., for S/J, filed. ph
10-28	MO:	Case called for hearing on TRO. Parties represented. Michael D. Stein admitted for purposes of this case. Oath administered. Statements made. Pltf. given until 11-10-76 to file responsive brief to defts' briefs in support of their motions to dismiss; defts. given 5 days thereafter to file ans. briefs if desired. Matter of TRO held in abeyance. If Court finds it has jurisdiction after reading briefs, another hearing will be set. (HDC-J)hm
11-10	8.	Brief of pltf. in support of jurisdiction, filed. ph
11-17	9.	Deft. United Steelworkers of America's response to pltf's brief in support of jurisdiction, filed.s
11-19	10.	Reply brief for deft. Edwin Youngblood on motion to dismiss the complt. for inj. relief in its entirety, filed. ph
12-1	11.	Pltf's response brief to reply brief for deft., Edwin Youngblood, filed. ph
2-25	12.	Order, filed, directing NLRB to proceed with consideration of the decertification petition; & after investigation, if it finds that the blocking charge rule can be effectuated, then Board should notify petitioners in written form; if Board rules that a dismissal of decertification petition is not warranted, Bd. should proceed in regard thereto. (HDC-J)hm (copies mailed)
3-3	13.	Motion of def. John Zink Co. to clarify Order of 2/25/77, filed. rm
3-3	14.	Brief in support of mo/clarify order, filed. rm
3-7	15.	Motion of deft. Edwin Youngblood, Reg. Director, Region 16, NLRB for reconsideration of 2-25-77 order or alt. for clarification and for a stay pending appeal filed. ph
3-7	16.	Memo. in support of mo/deft. Youngblood for reconsideration of 2-25-77 order or alt. for clarification and for a stay pending appeal, filed.ph (w/orders to J)
3-7	MO:	It is ordered by the Court that case is set for hearing on all pending motions for 3-25-77 at 2:00 p.m. (HDC-J)ph parties called;ltr written
3-7	17.	Motion of United Steelworkers of America for new trial or for reconsideration of order, filed. ph

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT		DOCKET NO. 76-C-505
Leo Hamil		Edwin Youngblood, et al		PAGE 3 OF 2 PAGES
DATE	NR.	PROCEEDINGS		
1977 3-7	18.	Brief in support of motion of United Steelworkers Union for new trial or for reconsideration of order, filed. ph		
3-14	19.	Order, filed, that Zink's motion requesting an order from the Ct. prohibiting further bargaining is denied; further that the mo/deft. Youngblood for reconsideration and clarification and the motion of def. Union for new trial or reconsideration are overruled; further that the order entered in the above-styled cause on 2-25-77 is stayed pending appeal. (HDC-J)ph cps mld		
3-14	MO:	In view of order filed this date, hearing of March 25, 1977, is stricken. (HDC-J)ph parties notified.		
3-14	20.	Pltf's brief in oppos. to reconsideration for new trial, filed. ph		
3-28	21.	Judgment, filed and entered, that NLRB proceed w/consideration of decertification petition filed by employees as provided by Act. The Board shall conduct appropriate investigation, then Bd. should provide petitioners statement of facts which warrant dismissal of petition. if Board determines that dismissal of employees decertification petition is not warranted, the Bd. should proceed in regard thereto. (HDC-J)rm-copies mailed		
4-15	22.	Pltf's mot. for ex parte restraining order and for order directing NLRB to institute election proceedings & brief, filed.k		
4-15	MO	It is ordered by the Court that pltf's mot. for ex parte restraining order and for order directing NLRB to institute election proceedings is hereby denied. (HDC-J)k cps mld		
4-27	23.	Notice of appeal by NLRB from judgment of 3/28/77, filed.rm-copy to USCA		
4-29	--	Reporter's transcript of hrg. on TRO, had on 10/28/76 (orig.& copy) filed. (T. Bloxom-CR)rm		
5-25		Original record on appeal transmitted to 10th Circuit. rm (2 vols.)		
6-9	----	Letter from 10th Circuit, assigning Case No. 77-1406. rm		
9-22-78	24.	Mandate of 10th Circuit, filed and spread of record, vacating inj. order of 3/28/77; and remanding cause with instructions to dismiss case. rm		
9-22	----	Appeal record (2 vols) received from 10th Circuit. rm		
11-1	25	Order, fld. & entered, In accordance with the mandate issued by the U. S. Ct. of Appeals for the 10th Circuit, fld. in this Ct. on 9-22-78, this action is hereby dismissed. IT IS SO ORDERED. (HDC-J)ho c/m		

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